REMARKS

Examiner's assistance during the August 23, 2005 Examiner's Interview is greatly appreciated.

Claims 14-26 are selected for prosecution.

Claims 14-20, 22 and 24-26 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey Jr. et al. Claims 21 and 23 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey Jr. et al. in view of Weaver.

Per Examiner's suggestions expressed during the August 23, 2005 Examiner's Interview, claim 14 has been amended to more clearly define the claimed invention over Bailey Jr. et al.

In particular, claim 14 has been amended to recite that body measurements of a customer are obtained to determine to which category in a pre-set classification of goods the customer belongs. Based on the body measurements, the customer is assigned by the computer system to the category that corresponds to a human model having individual characteristics corresponding to the body measurements of the customer.

By contrast, Bailey discloses a website for selling custom-tailored clothing. The website gives access "to a wide variety of catalogues containing clothes in various styles. Clothing is projected as a 3D model that can be rotated for multiple views on the customer's own home computer. Video and sound clips are available to display and describe the clothing on human models with varying physical characteristics. This display allows the customer to gain a better idea of how the clothing might look on them." (the paragraph bridging pages 6 and 7).

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"Having selecting some clothes, the customer is asked to make choices about materials, colors, style options, and body measurements. Based on this data, the resulting garment is presented for inspection on an appropriately proportioned computer generated model. If the customer finds the garment acceptable, he or she initiates the purchase… " (the first full paragraph on page 7).

Hence, the reference does not disclose that based on body measurements, the customer is assigned by the computer system to the category that corresponds to a human model having individual characteristics corresponding to the body measurements of the customer.

Further, per Examiner's suggestion, claim 14 has been amended to recite that the computer system determines <u>quantitative</u> evaluation marks for the goods in the category assigned to the customer, the evaluation marks being pre-set based on evaluating the goods tried on by the respective model.

By contrast, the computer system of Bailey does not teach or suggest determining pre-set quantitative evaluation marks in order to pre-select a group of items among the goods in the category assigned to the customer.

Accordingly, claim 14 is clearly defined over the prior art of record. Dependent claims 15-26 are defined over the prior art at least for the reasons presented above in connection with claim 14.
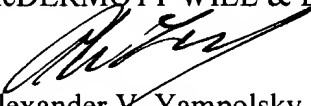
In view of the foregoing, and in summary, claims 14-26 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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